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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/814,302	03/21/2001	Darrel D. Cherry	10005030-1	4822

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EXAMINER

BILGRAMI, ASGHAR H

ART UNIT

PAPER NUMBER

2143

DATE MAILED: 11/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/814,302	CHERRY ET AL.
	Examiner	Art Unit
	Asghar Bilgrami	2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 13-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 13-20 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 21 March 2001 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) Notice of Informal Patent Application
- 6) Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. In light of applicants explanation the applicant withdraws the 112 rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 13-20 rejected under 35 U.S.C. 103(a) as being unpatentable over Gecht et al (U.S. 6,859,832 B1) and Pagurek et al (U.S. 6,550,024 B1).

4. As per claims 13, 16 & 19 Gecht disclosed a system for distributing information, the system comprising a client computer in network communication with a server, wherein the client computer includes a logical printer, a client agent, and a processor operable to execute the logical printer and the client agent and wherein the server includes a server agent and a processor operable to execute the server agent (col.2, lines 66-67 & col.3, lines 1-26), wherein: the logical printer is integrated with the print functionality of the client computer and is configured to launch the client agent and provide the client agent with a document (col.9, lines 12-25 & col.13, lines 6-20).

However Gecht did not explicitly disclose the client agent is configured to connect to the

server agent, to send the document to the server agent, to receive a user interface from the server, the user interface enabling a user to enter data identifying a destination for the document, and to return data entered by the user through the user interface to the server agent; the server agent is configured to receive the document from the client agent, send the user interface to the client agent, receive the data entered through the user interface from the client agent, and to send the document to a destination identified by the data.

In the same field of endeavor Pagurek disclosed the client agent is configured to connect to the server agent, to send the document to the server agent, to receive a user interface from the server, the user interface enabling a user to enter data identifying a destination for the document, and to return data entered by the user through the user interface to the server agent; the server agent is configured to receive the document from the client agent, send the user interface to the client agent, receive the data entered through the user interface from the client agent, and to send the document to a destination identified by the data. (Col.2, lines 5-41).

It would have obvious to one the ordinary skill in the art at the time the invention was made at the time the invention was made to have incorporated receiving a user interface from the server as disclosed by Pagurek in a system for distributing information as disclosed by Gecht in order to facilitate information transfer between client and server make the distribution system more flexible, robust and user friendly from printing prospective.

5. As per claims 14, 17 & 20 Gecht-Pagurek disclosed the system of Claim 13, wherein the user interface enables the user to enter data identifying an e-mail address and wherein the client agent is operable to return the data identifying the e-mail address to the server so that the server can send the document via e-mail to the e-mail address (Gecht, col.2, lines 10-15).

6. As per claims 15 & 18 Gecht-Pagurek disclosed the system of Claim 13, wherein the logical printer includes a driver, a spooler, and a port monitor, wherein: the driver is operable to translate the document to a rendered format; the spooler is operable to send the document in the rendered format to the port monitor, and the port monitor is operable to launch the client agent (col.2, lines 65-6-67, col.3, lines 1-26, col.5, lines 66-67 & col.6, lines 1-5).

Response to Arguments

7. Applicant's arguments filed September 14, 2006 have been fully considered but they are not persuasive.

8. Applicant argued that neither Gecht nor pagurek disclose (a) a logical printer that is configured to launch the client agent and (b) a client agent that is configured to receive user interface from the server.

9. When reviewing a reference the applicants should remember that not only the specific teachings of a reference but also reasonable inferences which the artisan would have logically drawn therefrom may be properly evaluated in formulating a rejection. In re Preda, 401 F. 2d 825, 159 USPQ 342 (CCPA 1968) and In re Shepard, 319 F. 2d 194, 138 USPQ 148 (CCPA 1963). Skill in the art is presumed. In re Sovish, 769 F. 2d 738, 226 USPQ 771 (Fed. Cir. 1985). Furthermore, artisans must be presumed to know something about the art apart from what the references disclose. In re Jacoby, 309 F. 2d 513, 135 USPQ 317 (CCPA 1962). The conclusion of obviousness may be made from common knowledge and common sense of a person of ordinary skill in the art without any specific hint or suggestion in a particular reference. In re Bozek, 416 F.2d 1385, 163 USPQ 545 (CCPA 1969). Every reference relies to some extent on knowledge of persons skilled in the art to complement that is disclosed therein. In re Bode, 550 F. 2d 656, 193 USPQ 12 (CCPA 1977).

10. As to applicant argument Gecht on col.3, lines 19-26 discloses that the print job can originate from any suitable print job source, such as a client device with an associated print driver (i.e. agent A.K.A the software that communicates with the printer), a web browser, a facsimile machine, a scanner etc. Additionally for clarity purpose the examiner has quoted some terms used in the claims from applicants specification for clarity purposes.

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On page 5, lines 28—29 says that “the agent is a software program which may be installed on a client system or may be downloaded via the network”.

On page 6, lines 20-22 of the applicant's specification states that “As known in the art, the document router is a logical printer installed on the client's machine that uses a port monitor installed on the client machine that launches the client agent.

11. Applicant argued that Gecht and Pagurek fails to teach or suggest a client agent configured to connect a server remote from the client computer, to send the document to the server, to receive a user interface from the server.

12. As to applicant's argument Gecht on col.3, lines 13-67 & col.4, lines 1-9) discloses that the print jobs originate from a suitable print source such as a client device with an associated print driver which is then sent to a spooling server which may be located outside of the first or second local area network (I.E remote). The spooling device can be integrated into the software of a network print server or of any other suitable configuration. Additionally on col.4, lines 51-60 Gecht discloses that the printer-polling device may comprise a user interface, a connection to the network, and connection to one or more printers.

13. Applicants argued that that the examiner has failed to address the claim 19.

14. As to applicant arguments the limitations of claim 19 are anticipated by the combination both prior arts and rejected under 35 U.S.C 103 as indicated in the prior office action.

15. Finally one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Asghar Bilgrami whose telephone number is 571-272-3907. The examiner can normally be reached on 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-3924. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AB


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